

## **Exempting the Marine Military Academy in Harlingen from civil liability**

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SB 524 by Lucio (Oliveira)

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DIGEST:	SB 524 would have allowed the Marine Military Academy in Harlingen to be defined as a charitable organization under the Texas Civil Practice and Remedies Code, chapter 84, which reduces liability exposure for certain charitable organizations.
GOVERNOR'S REASON FOR VETO:	"Senate Bill 524 would define essentially one private school as a charity for the purpose of limiting the liability of its employees. This Arizona corporation is not a charity 'operated exclusively for the promotion of social welfare by being primarily engaged in promoting the common good and general welfare of the people in a community.' The selective granting of such benefits for an individual private school violates the prohibition in Art. 3, Section 56 of the Texas Constitution against passing local or special laws.
RESPONSE:	Sen. Eddie Lucio, the author of SB 524, said: "This legislation would have provided limited civil liability for the Marine Military Academy that is afforded to other private nonprofit groups. The academy, which is governed by a board of trustees, has had difficulty recruiting board members to serve because of the potential problem of having unlimited liability if they are ever involved in litigation."
NOTES:	<p>HB 524 passed the House on the Local and Consent Calendar and was not analyzed in a <i>Daily Floor Report</i>.</p> <p>A related bill, HB 666 by Oliveira et al., which allows certain nonprofit corporations to issue tax-exempt bonds for the Marine Military Academy in Harlingen, was signed by the governor on April 18.</p>